

REMARKS

With the foregoing amendment claims 1-18 are pending in the application. Claims 1 and 14 are independent. No new matter has been added by the amendments. Applicant respectfully requests reconsideration of the Rejections/Objections, which are discussed below.

Rejection of Claims Under 35 U.S.C. 103

Independent claim 1 is rejected under 35 U.S.C. 103 as being unpatentable over Takada (US 5,351,126) in view of Rickman (US 2005/0111301) (collectively "the Art"). Applicant respectfully disagrees.

Claim 1 is patentable over the Art because the Art, considered alone or in combination, does not teach or suggest all of the features of claim 1. For example, at the least, the Art does not teach or suggest ""a first component which is connected to the housing and can be extended beyond the housing ... wherein the first component is formed both for measuring short distances and as a spacer for electro-optical distance measurement," as is required by claim 1. Moreover, the art does not teach or suggest "means for automatic determination of a distance (d) from the surface region to a point located on an end of the first component, wherein the determination is based on an electro-optical distance measurement and the extension of the first component," as is further recited in claim 1.

As is clear from claim 1, the invention covers, for example, a hand-held laser range finder comprising an extendable first component which is formed both for measuring short distances and as a spacer for electro-optical distance measurement. Accordingly, there are means for automatic determination of a distance (d) from the surface region to a zero point that is located at the end of the first component, wherein the automatic determination is based on an electro-optical distance measurement and the extension of the first component. This allows one to electro-optically measure short distances as well as some other distances that cannot be measured by conventional hand held laser range finders (see figures 11, 12 and 13).

The cited Takada document describes an optical measurement system for determination of a profile or of a thickness of an object. Therefore, Takada suggests using two optical sensor heads aiming at a first and a second point on a surface of an object, the output signals of these two heads being processed by a common processing circuit. With the use of the single processing circuit, the two output signals can be processed in identical conditions to enable reliable determination of the distances of the first and second points. This would allow an accurate analysis of the surface profile.

As the Office correctly notes, Takada does not disclose “a first component which is connected to the housing and can be extended beyond the housing,” as is required by claim 1.

The Office relies on Rickman to make up for the deficient teachings of Takada. Applicants admit that Rickman discloses a housing and a component which is connected to the housing and can be extended beyond the housing. However, this component disclosed in Rickman (see element 34 – “retractable tape”) is not “formed both for measuring short distances and as a spacer for electro-optical distance measurement,” as is required by claim 1. Rather, the retractable tape 34 is configured to merely measure short distances.

Moreover, neither Takada nor Rickman disclose “means for automatic determination of a distance (d) from the surface region to a point located on an end of the first component, wherein the automatic determination is based on an electro-optical distance measurement and the extension of the first component.” While it is true that Rickman discloses automatic determination of a distance from a surface of an object to a zero point, nowhere does Rickman teach or suggest that the zero point is located on the end of the retractable tape 34. Rather, Rickman merely teaches that the zero point may be located on “either the front side 18 or the back side 20 of the housing 12.” *Paragraph 0019.*

Accordingly, neither Takada nor Rickman, considered alone or in combination, teach or suggest all of the features of claim 1. Applicants, therefore, respectfully request that the rejection of claims 1-13 be withdrawn.


New Claims

New claims 14-18 are added. Support for claims 14-18 can be found at, for example, figures 11-13 and the description thereof. Claim 14 is patentable over the art of record because the art does not disclose "using the member as a distance measuring means [to obtain a first distance measurement]" and "using the member as a spacer [to obtain a second distance measurement]."

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections, and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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